

 Small Unmanned Aircraft System (sUAS) Operations Policy	Citywide Policy Manual Policy #
	Attachments:
Effective Date:	Responsible Department: Innovation Technology
Related Policies & Notes: FAA 14 CFR Part 107 (Part 107) California Civil Code 1708.8	

Purpose

The purpose of this policy is to establish guidelines for the use of a small unmanned aerial system (sUAS) for City of Cupertino services and for the storage, retrieval and dissemination of images and data captured by the sUAS.

Definitions

As provided by the FAA, definitions related to this policy include:

Unmanned aircraft - an aircraft operated without the possibility of direct human intervention from within or on the aircraft.

Small unmanned aircraft - an unmanned aircraft weighing less than 55 pounds on takeoff, including everything that is on board or otherwise attached to the aircraft.

Small unmanned aircraft system ("small UAS" or "sUAS") - a small unmanned aircraft and its associated elements (including communication links and the components that control the small unmanned aircraft) that are required for the safe and efficient operation of the small unmanned aircraft in the national airspace system.

Policy

Within the parameters of the public's privacy interest set forth below, Small Unmanned aircraft systems may be utilized to enhance the City's mission to provide exceptional service including providing public services and protecting lives and property when other means and resources are not available or are less effective.

The City's sUAS program will operate under 14 CFR Part 107 (Part 107), which are the FAA rules for small unmanned aircraft systems, or "drone," operations covering a broad spectrum of commercial, and government uses for drones weighing less than 55 pounds. When a mission requires operating a drone contrary to Part 107 rules, an FAA waiver must be requested.

Program Coordinator:

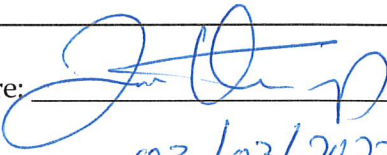
The Director of Innovation and Technology will appoint a program coordinator who will be responsible for the management of the sUAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Staying up to date with federal, state, and local laws and regulations, including those related to privacy
- Developing City approved training covering program policies, authorizations, and restrictions.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the sUAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a sUAS, including urgent requests made during ongoing or emerging incidents.
- Developing an operational protocol governing the deployment and operation of an sUAS including, but not limited to, safety oversight, use of visual observers, flight hazard identification, establishment of lost link procedures and communication with air traffic control facilities.
- Communicating changes to sUAS program and policy to all operators.
- Implementing a system for public notification of sUAS deployments.
- Developing a protocol for fully documenting all flights.
- Developing a sUAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating public records request including law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Director of Innovation and Technology.

Joint Operations or Mutual Aid Requests:

In the event that the City of Cupertino receives a request to conduct joint operations with another agency in the City or a mutual aid request to support an agency/jurisdiction outside the City, all operations are subject to this policy. Any special circumstances or conditions shall be considered by the Director of Innovation and Technology. All exceptions to this policy will be documented and shared publicly.

All joint operation or mutual aid data will be retained according to the City's retention schedule.

City Manager's signature:  Date: <u>03/03/2022</u>
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Revisions: 2/2022